

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

FILED
U. S. DISTRICT COURT
DISTRICT OF NEBRASKA

13 JAN 23 PM 5:40

UNITED STATES OF AMERICA,

8:13CR26
OFFICE OF THE CLERK

Plaintiff,

INDICTMENT

vs.

ARTURO W. TORRES,

Defendant.

31 U.S.C. § 5324(a)(1)
31 U.S.C. § 5324(a)(3)
31 U.S.C. §§ 5324(d)(1)
18 U.S.C. § 2
31 C.F.R. § 103.11(gg)
31 U.S.C. § 5317

The Grand Jury Charges that:

COUNTS I AND II

(STRUCTURING - 31 U.S.C. § 5324(a)(1))

On or about the dates set forth in Counts I and II below in the District of Nebraska, the Defendant, ARTURO W. TORRES, knowingly and for the purpose of evading the reporting requirements of Section 5313(a) of Title 31, United States Code, and the regulations promulgated thereunder, including Title 31, Code of Federal Regulations, Section 103.11, did cause and attempt to cause a domestic financial institution, to wit: First National Bank of Omaha (FNBO) to fail to file a report required under Section 5313(a) of Title 31, and any regulation prescribed under any such section:

COUNT	DATE	CURRENCY DEPOSIT AMOUNT(S)	FNBO ACCT. #
Count I	1/06/11	\$2,100	xxxxxx576
	1/06/11	\$8,200	xxxxxx576
Count II	2/24/11	\$8,500	xxxxxx576
	2/24/11	\$5,600	xxxxxx641

All in violation of Title 31, United States Code, Sections 5324 (a)(1) and 5324 (d)(1); and

Title 31, Code of Federal Regulations, Section 103.11 (gg), and Title 18, United States Code, Section 2.

COUNT III

(STRUCTURING - 31 U.S.C. § 5324(a)(3))

From on or about February 6, 2010, to on or about January 31, 2012, in the District of Nebraska, the Defendant, ARTURO W. TORRES, knowingly and for the purpose of evading the reporting requirements of Section 5313(a) of Title 31, United States Code, and the regulations promulgated thereunder, did structure, assist in structuring, and attempt to structure and assist in structuring, approximately 177 transactions totaling approximately Six Hundred Thirty-One Thousand Two Hundred Eighty-Nine Dollars (\$631,289.00) with First National Bank of Omaha (FNBO), a domestic financial institution.

All in violation of Title 31, United States Code, Sections 5324(a)(3) and 5324 (d)(1); and Title 31, Code of Federal Regulations, Section 103.11(gg), and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATION

1. The allegations of Counts I through III of this Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 31, United States Code, Section 5317.

2. As a result of the offense alleged in Counts I through III herein, ARTURO W. TORRES, shall forfeit to the United States any and all interest he has in all property, real and personal, involved in the offense alleged in Counts I through III, and all property constituting or derived from proceeds obtained directly or indirectly as a result of such violation including but not limited to the following:

\$24,077.91 in United States currency

If the above-described forfeitable property, as a result of any act or omission of the Defendant -

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with , a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 31, United States Code, Section 5317 to seek forfeiture of any other property of said Defendant up to the value of the above forfeitable property.

In violation of Title 31, United States Code, Section 5317.


A TRUE BILL:


FOREPERSON



DEBORAH R. GILG
United States Attorney, D.NE.

The United States of America requests that trial of this case be held at Omaha, Nebraska, pursuant to the rules of this Court.


RUSSELL X. MAYER
Assistant United States Attorney